

REMARKS

Claims 1, 3-11, and 13-21 are pending in the application and have been rejected.

Claims 1 and 10 have been amended to recite a “non-permeable” sleeve of a substantially fluid non-permeable material surrounding at least a portion of one end of the filter element as shown in Figure 4. Claims 1 and 10 have also been amended to recite a “perforated” core member as described on page 1, line 22.

RESPONSE TO THE REJECTION UNDER 35 U.S.C. 102

Anticipation requires that a single reference teach, expressly or inherently, every claim limitation. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See MPEP § 2131.01.

Claims 1, 3-4, 9-11, 13, 15-16 and 21 are rejected as being anticipated by Gill (US 2,302,116). Claim 1 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. Claim 10 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. The cartridge shell 33 of Gill is provided with a plurality of holes 39. Since Gill does not disclose the sleeve being non-permeable it does not anticipate claims 1, 3-4, 9-11, 13, 15-16 and 21.

Claims 1, 3-11, and 15- 21 are rejected as being anticipated by Ayers (US 4,539,107). Claim 1 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. Claim 10 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. The tube 42 of Ayers is provided having perforations 44 therein. Since Ayers does not disclose the sleeve being non-permeable it does not anticipate claims 1, 3-11, and 15- 21.

Claims 1, 3-4 and 7 are rejected as being anticipated by Graves (US 5,306,425). Claim 1 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. Claim 10 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. The sleeve 80 of Graves has flow equalization ports 81-83 that assures equalization of flow. Since Graves does not disclose the sleeve being non-permeable it does not anticipate claims 1, 3-4 and 7.

Claims 1, 3-5, 7-8, 10, 15-16 and 18-20 are rejected as being anticipated by Harris (US 4,420,392). Claim 1 recites a **perforated** core member in fluid communication with the filter element. Claim 10 recites a **perforated** central core in fluid communication with the filter element. Harris fails to disclose a **perforated** core member in fluid communication with the filter element 54. The definition of **perforated** is 1: having a hole or perforations; especially : having a specified number of perforations in 20 millimeters *<the stamps are perforated 10>* 2 : characterized by perforation *<a perforated ulcer>* (See Webster's Ninth New Collegiate Dictionary, 1985, page 873). The central core of Harris, the structures 66, 68 or 74 as noted by the Examiner are not perforated. Since Harris does not disclose a **perforated** core in fluid communication with the filter element it does not anticipate claims 1, 3-5, 7-8, 10, 15-16 and 18-20.

Claims 1, 3, 7 , 9-11, 15-16, 19 and 21 are rejected as being anticipated by Shinaver (US 4,456,529). Claim 1 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. Claim 10 recites a **non-permeable** sleeve of a substantially fluid non-permeable material. The baffle ring 132 of Shinaver discloses a sleeve provided with a plurality of struts 134. Flow is channeled between the struts, therefore the sleeve of Shinaver is permeable. Since Shinaver does not disclose the sleeve being non-permeable it does not anticipate claims 1, 3, 7 , 9-11, 15-16, 19 and 21.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated:

8/13/04

Respectfully submitted,

By C M Pielech  
Margaret A. Boulware  
Registration No.: 28,708  
Constance M. Pielech  
Registration No.: 46,991  
JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION  
5 Houston Center  
1401 McKinney, Suite 2700  
Houston, Texas 77010  
(713) 951-3300  
Attorneys For Applicant